

EXHIBIT “A”

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

Clydetta Smith
270 Broadway Avenue
Apt 609
Pitcairn, PA 15140

Plaintiff(s)

v.

Greyhound Lines, Inc.
350 North Saint Paul Street
Dallas, TX 75201

Defendant(s)

CIVIL DIVISION

No.:

COMPLAINT IN CIVIL ACTION

Filed on Behalf of Plaintiff,
Clydetta Smith

Counsel of Record for this Party:

Marc I. Simon, Esquire
PA I.D. #: 201798

SIMON & SIMON, P.C.

1515 Market Street, Suite 1600
Philadelphia, PA 19102
(215)-467-4666

NOTICE

YOU HAVE BEEN SUED IN COURT

If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE

**Lawyer Referral Service
Allegheny Bar Association
11th Floor Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
Telephone: (412) 261-5555**

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

Clydetta Smith	:	
	:	
	:	CIVIL DIVISION
Plaintiff(s)	:	
	:	No.:
v.	:	
Greyhound Lines, Inc.	:	
	:	
	:	
	:	
Defendant(s)	:	

COMPLAINT

AND NOW, comes the Plaintiff, Clydetta Smith, by and through the undersigned counsel, Marc I. Simon, Esquire and Simon and Simon, P.C., hereby and files the following Complaint and avers as follows:

1. Plaintiff, Clydetta Smith, is a resident of the Commonwealth of Pennsylvania, residing at the address listed in the caption of this Complaint.
2. Upon information and belief, Defendant, Greyhound Lines, Inc., is a business entity registered to do business in the Commonwealth of Pennsylvania, residing at the address listed in the caption of this Complaint.
3. On or about October 3, 2016, at or about 9:00 p.m., Plaintiff was the passenger of a motor vehicle, parked at or near the intersection of Liberty Avenue and Penn Avenue, in Pittsburgh, PA.
4. At or about the same date and time, Defendant, Greyhound Lines, Inc., was the owner of a motor vehicle which was traveling at or near the aforesaid intersection and/or location of the vehicle in which Plaintiff was a passenger.

5. At or about the same date and time, Defendant's vehicle was involved in a motor vehicle collision with the vehicle in which Plaintiff was a passenger.

6. The aforesaid motor vehicle collision was caused by the Defendant negligently and/or carelessly, operating his vehicle in such a manner so as to strike the vehicle in which Plaintiff was a passenger.

7. The aforesaid motor vehicle collision was the result of the negligence and/or carelessness of Defendant and not the result of any action or failure to act by Plaintiff.

8. As a result of the accident, the Plaintiff suffered serious, severe and permanent bodily injuries as set forth more fully below.

COUNT I
Clydetta Smith v. Greyhound Lines, Inc.
Personal Injury—Negligence

9. Plaintiff incorporates by reference herein the allegations set forth in the aforementioned paragraphs of this Complaint, inclusive, as if set forth herein at length.

10. The negligence of Defendant, which was the direct and sole cause of the aforesaid motor vehicle collision and the resultant injuries and damages suffered by the Plaintiff, consisted of the following:

- a. Striking Plaintiff's vehicle;
- b. Operating his/her vehicle into Plaintiff's lane of travel;
- c. Failing to maintain proper distance between vehicles;
- d. Operating said vehicle in a negligent manner without regard for the rights or safety of Plaintiff or others;
- e. Failing to have said vehicle under proper and adequate control;

- f. Operating said vehicle at a dangerous and excessive rate of speed under the circumstances;
- g. Violation of the assured clear distance rule;
- h. Failure to keep a proper lookout;
- i. Failure to apply brakes earlier to stop the vehicle without striking the Plaintiff or Plaintiff's vehicle;
- j. Being inattentive to his/her duties as an operator of a motor vehicle;
- k. Disregarding traffic lanes, patterns, and other devices;
- l. Driving at a high rate of speed which was high and dangerous for conditions;
- m. Failing to remain continually alert while operating said vehicle;
- n. Failing to perceive the highly apparent danger to others which the actions and/or inactions posed;
- o. Failing to give Plaintiff meaningful warning signs concerning the impending collision;
- p. Failing to exercise ordinary care to avoid a collision;
- q. Failing to be highly vigilant and maintain sufficient control of said vehicle and to bring it to a stop on the shortest possible notice;
- r. Operating said vehicle with disregard for the rights of Plaintiff, even though she was aware or should have been aware of the presence of Plaintiff and the threat of harm posed to Plaintiff;
- s. Continuing to operate the vehicle in a direction towards the Plaintiff's vehicle when he/she saw, or in the exercise of reasonable diligence, should have seen, that further operation in that direction would result in a collision;

11. As a direct and consequential result of the negligent conduct of the Defendant, described above, the Plaintiff suffered various serious and permanent personal injuries, serious impairment of bodily function and/or permanent serious disfigurement and/or aggravation of pre-existing conditions and others ills and injuries, including disc bulges at L5-S1, and other injuries to her head, arms, legs and shoulders, all to Plaintiff's great loss and detriment.

12. As a result of these injuries, all of which are permanent in nature and all of which are to Plaintiff's great financial detriment and loss, Plaintiff has in the past, is presently, and may in the future suffer great pain, anguish, sickness and agony and will continue to suffer for an indefinite time into the future.

13. As an additional result of the carelessness of Defendant, Plaintiff has suffered emotional injuries, along with the physical injuries suffered.

14. As a direct result of the negligent conduct of the Defendant, Plaintiff suffered damage to Plaintiff's personal property, including a motor vehicle, which Plaintiff was operating at the time of the aforesaid motor vehicle collision; including storage fees and towing, all to Plaintiff's great loss and detriment.

15. As a further result of Plaintiff's injuries, Plaintiff has in the past, is presently and may in the future undergo a great loss of earnings and/or earning capacity, all to Plaintiff's further loss and detriment.

16. Furthermore, in addition to all the injuries and losses suffered, the Plaintiff has incurred or will incur medical, rehabilitative and other related expenses in an amount equal to or in excess of the basic personal injury protection benefits required by the Pennsylvania Motor Vehicle Financial Responsibility Law, 75 Pa. C.S. Section 1701 et. seq. as amended.

WHEREFORE, Plaintiff prays for judgment in Plaintiff's favor and against Defendant, in an amount in excess of Thirty-Five Thousand (\$35,000.00) Dollars, plus all costs and other relief this court deems just.

SIMON & SIMON, P.C.

BY: 

Marc I. Simon, Esquire
Simon & Simon, P.C.
1515 Market Street
Suite 1600
Philadelphia, PA 19102
215-467-4666

VERIFICATION

I, Marc Simon, hereby state that I am attorney for the Plaintiff in the within action and that the facts set forth in this Civil Action Complaint above are true and correct to the best of my knowledge, information and belief.

I understand that the statements in this Verification are made subject to the penalties of 18 U.S.C.A. § 1001 relating to unsworn falsification to authorities.

A handwritten signature in black ink, appearing to read 'Marc I. Simon', is written above a horizontal line.

Marc I. Simon

VERIFICATION

I, Clydetta L Smith, am the plaintiff in this action, and I hereby state that the facts set forth in the foregoing Complaint are true and correct to the best of my knowledge, information, and belief. I understand that this verification is subject to 18 Pa. C.S. § 4904 providing for criminal penalties for unsworn falsification to authorities.

Clydetta L Smith